

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

Claims 1-3, 5-20, and 22-31 are currently pending in the application, and claims 1, 3, 7, 10, 12, 18, and 20 are amended. Specifically, independent claims 1 and 30 are amended to include the features of allowable claim 4, which is canceled. In addition, claims 3, 7, 10, 12, 18, and 20 are amended to correct antecedent basis and minor errors. No new matter has been added.

Applicants thank the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statements filed on June 6, 2005 and May 6, 2008.

Rejection of Claims Under 35 U.S.C. §102

Claims 1-3, 6, 9-11, 17-27, and 30-31 are rejected under 35 U.S.C. §102(e) as anticipated by Kato et al., U.S. Patent No. 6,665,446. This rejection should be withdrawn based on the comments and remarks herein.

Kato relates to image coding for controlling coding amount for each image area, dealing with distortion and noise that occur at an unimportant part and a pseudo outline that occurs in the border area between an important part and an unimportant part. The important part is exemplified by a person's face area to be recognized by pattern matching. Template matching of Kato is not a characterizing part and is a mere disclosure of a general matching process. In face recognition processing, Kato discloses a template in which a person's face area is modeled in an ellipse shape, but does not disclose extracting a target area based on evaluation of a result of

matching using a plurality of templates.

The Examiner states that claim 4 is allowable. Independent claims 1 and 30 are amended herein to recite the features of claim 4, so that these independent claims are allowable. Claims 2, 3, 6, and 9 depend from claim 1, and claim 31 depends from claim 30, so that these dependent claims are allowable at least for the reasons that their base claims are allowable.

Claim 10 recites both a first extraction step and a second extraction step, and the second extraction step performs an extraction process for every region extracted in the first extraction step. The Examiner asserts that Kato discloses two extraction steps (column 2, lines 18-21). This assertion is based on the allegation that extraction of a specific area based on wavelet conversion processing corresponds to the present first extraction step and quantization processing on the extracted specific area corresponds to the present second extraction step.

Applicants respectfully disagree with the Examiner's assertion. The quantization processing of Kato is a processing which changes quantization coefficients in and out of a specific area in the image, thereby reducing the coding amount while avoiding significant deterioration in image quality. This quantization processing is thus quite different from extraction of the method and system recited in applicants' claims, in which a second region group is extracted for each region included in the first region group extracted in the first extraction step. The second extraction step of the method and system recited in the claims of the present invention can surely remove noise, etc., not completely removable by the first extraction step, allowing accurate extraction of a region of interest.

Claim 17 recites a re-extraction step of again extracting a desired structural component. The Examiner asserts that Kato discloses a re-extraction step for again extracting a desired structural component from the first region group on the basis of the second region group

specified in the region group specification step (Kato: claim 1 and col. 13, lines 36-42).

Applicants respectfully disagree. Kato discloses one extraction of a specific area based on matching and does not disclose or suggest a second extraction step for again extracting a desired structural component from the first region group. As discussed above, Kato does not provide the effect that a region of interest can be accurately extracted. Accordingly, Kato does not teach or suggest performing two extraction steps, either a second extraction step for every region extracted in the first extraction step or a re-extraction step. Hence, Kato does not teach or suggest each element of independent claims 10 and 17.

The Examiner asserts that Kato discloses generating a plurality of parameters and then specifying the parameters with high degree of matching, as recited in independent claim 18. Applicants respectfully disagree. Kato teaches initializing parameters (column 6, lines 29-30), and "... the face area can be represented by using parameters (major axis, minor axis and center position)" (column 10, lines 44-45). However, Kato does not teach or suggest specifying the parameters, that is, the major axis, the minor axis and the center position, with high degree of matching. Thus, Kato does not teach or suggest each element of independent claim 18.

The Examiner asserts Kato discloses a feature-amount calculation step for calculating a feature-amount based on a width of structural component extracted in the extraction step (col. 4, lines 14-21; a plurality of quantization tables are used for a recognized face-area and other areas), as recited in independent claims 20, 24, and 26. Applicants respectfully disagree. As discussed above, the quantization table of Kato is for reducing the coding amount while avoiding significant deterioration in image quality. This quantization table differs from one in which a feature amount is calculated based on the width of a structural component extracted in the

extraction step as in recited in independent claims 20, 24, and 26. Thus, Kato does not teach or suggest each element of independent claims 20, 24 and 26.

It has been held by the courts that “Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Company et al.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984). As illustrated above, Kato does not disclose each and every element of the claimed invention as recited in independent claims 1, 10, 17, 18, 20, 24, 26, and 30 as amended herein. Consequently, these independent claims, and their dependent claims, are not anticipated by the art of record in the application.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejection of Claims Under 35 U.S.C. §103

Claims 5, 28, and 29 are rejected under 35 U.S.C. §103(a) as unpatentable over Kato in view of Kaufman et al., U.S. Patent No. 7,194,117 (hereinafter “Kaufman”). This rejection should be withdrawn based on the comments and remarks herein.

As discussed above, the Examiner states that claim 4 is allowable, and independent claim 1 is amended to recite the features of claim 4. Hence, independent claim 1 is allowable. Claims 5, 28 and 29 depend from claim 1, each dependent claim incorporating all of the features and limitations of its base claim. Thus, these dependent claims are allowable for at least the reasons that the base claim is allowable. Accordingly, withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

Applicants appreciate that claims 4, 7, 8, and 12-16 are merely objected to as being dependent upon a rejected base claim, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, the features and limitations of claim 4 are added to independent claim 1, so that claim 1 includes all of the limitations of the base claim. Hence, claim 1 is allowable. Claims 7 and 8 depend from claim 1, incorporating all of the features and limitations of the base claim. Thus claims 7 and 8 are allowable. Claims 12-16 are allowable for the reasons discussed above.

Conclusion

In light of the foregoing, Applicants respectfully submit that all pending claims recite patentable subject matter, and kindly solicits an early and favorable indication of allowability. If the Examiner has any reservation in allowing the claims, and believes a telephone interview would advance prosecution, he is kindly requested to telephone the undersigned at his earliest convenience.

Respectfully Submitted,



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